

**STATEMENT OF THE  
HONORABLE JOHN J. DUNCAN, JR.  
HEARING ON  
THE REAUTHORIZATION OF THE BROWNFIELDS PROGRAM – SUCCESSES  
AND FUTURE CHALLENGES  
JUNE 8, 2006**

I would like to welcome everyone to our hearing today on the reauthorization of the Brownfields Program at the Environmental Protection Agency.

As manufacturing and commercial companies relocate or close their operations, they leave behind abandoned factories, salvage yards, and warehouses. Some of these sites may contain residual contamination with hazardous substances or other pollutants. These potentially contaminated former industrial and commercial sites are the “Brownfields” that are the subject of our hearing today.

Brownfields drive down property values and tax revenues and are a major blight on many of our cities and towns.

There are hundreds of thousands of brownfield sites in America. While some of them exist in rural areas, most are in our cities, close to highways, rail lines, and ports. They are prime locations for redevelopment except for the fact that the land may be contaminated.

In the past, no one wanted to invest in cleaning up these sites because they feared the environmental liability under statutes such as the Comprehensive Environmental Response, Compensation, and Liability Act, also known as Superfund. As a result, many developers turned to undeveloped green spaces for new investments.

It became clear that it made good economic and environmental sense to remove legal hindrances and support state, local, and private efforts to clean up and redevelop brownfields. So, through this Committee’s efforts, Congress passed, and the President signed, the Small Business Liability Relief and Brownfields Revitalization Act.

The law provided legislative authority for the Brownfields Program including grants for site assessments and cleanup. The law also clarified liability associated with brownfields sites, and helped provide greater protections for innocent parties who want to clean up and redevelop brownfields properties.

Title II of the legislation was the Brownfields Revitalization and Environmental Restoration Act of 2001, which authorized \$200 million per year for brownfields program grants and \$50 million per year to support state and tribal response programs.

The grants are issued by EPA each year to communities and tribes for site assessments, revolving loan funds, and direct cleanups.

With the help of these grants and the law's liability protections, communities can transform eye-sores into safe and clean lands for new businesses, residences, public parks, or greenspace.

EPA estimates that the Brownfields Program has leveraged more than \$8.2 billion in private investment and helped create more than 37,000 jobs.

In addition, cleaning up brownfields may help control urban sprawl by making former industrial and commercial sites available for new development thereby taking some of the pressure off undeveloped natural areas on the outskirts of cities.

I think the Brownfields Program has been a successful government program. But like any good program, there may be ways to make it better.

The authorization for appropriations for the Brownfields Program will expire this year. As we consider reauthorization of the program, we should look for opportunities to make improvements.

Turning brownfields back into usable property involves the efforts of the Environmental Protection Agency, state and local governments, private investors, and non-governmental organizations. We have assembled a panel of experts from each of these entities who will help us understand how this program has been working and how we might want to improve it.